

REMARKS

The Office examined claims 1-64 and rejected same. With this paper, claims 1-5, 7-17, 19, 21-23, 25-31, 35, 37-39, 42, 43, 45-49, 51-60 and 63-64 are amended, claims 6, 18, 20, 24, 44 and 62 are canceled, and none are added.

Claim Rejections under 35 USC §101

Claim 63 is rejected under 35 USC §101 as being directed to non-statutory subject matter. Claims 1-21, 62 and 64 are also rejected by virtue of their dependence on independent claim 63.

With this paper, claim 63 is amended to become a method claim. All claims depending from claim 63 are amended accordingly. It is believed that the basis for the rejection is obviated. Withdrawal of the rejection is respectfully requested.

Claim Rejections under 35 USC §103 - First Set

Claims 1-64 are rejected under 35 USC §103(a) as being unpatentable over Desai et al (U.S. Patent No. 6,820,204, Desai hereinafter) in view of Eftis et al (U.S. Patent 7,171,473, Eftis hereinafter).

Among the rejected claims, claims 22, 42 and 63 are independent.

With this paper, the above independent claims are amended to add the following features regarding the presence attributes and presence values:

said presence attributes are classifiable in any one or more of the following:
client reachability, user availability, user personal status, user or client location,
and client capabilities;

and said values of the presence attributes have associated space and time
information useable by said receiving entity to modify said presence values or
related presence values in processing said presence primitive.

The Office acknowledged that "Desai did not explicitly disclose wherein the presence information comprises one or more presence attributes, the values of the attributes indicating

presence status of a user or a client of the user at the time the presence information is provided. In the same filed of endeavor Eftis disclosed wherein the presence information comprises one or more presence attributes, the values of the attributes indicating presence status of a user or a client of the user at the time the presence information is provided (col. 14, lines 20-57." (page 4 of the Detailed Action)

Applicant respectfully submits that, what Eftis teaches at the cited location relates to updating a communication web page when a user logs on, logs off, joins a group or leaves a group, and sending update notification to the members who are currently online. The updates are processed and displayed immediately, giving users a real-time indication of the online presence of the members. Although the online presence (whether a user is logged on or logged off) may be regarded as a status information item of the user, it does not carry additional information such as an online user's location, availability, mood, client capability, etc., and nowhere in Efits it is suggested that the online/offline status may be presented with the additional information and modified according to the associated space and time information.

On the other hand, the presence information according to the present invention covers much more than merely an indication of whether a particular user is online or offline. The present invention provides a presence primitive. The presence primitive includes presence various attributes of a user. The presence attributes are classifiable in any one or more of the categories: client reachability, user availability, user personal status, user or client location, and client capabilities. The values of the presence attributes have associated space and time information useable by a receiving entity to modify the presence values or related presence values of the user in processing the presence primitive.

Neither Desai nor Eftis teaches that the presence information includes various presence attributes that are classifiable in any one or more of the categories: client reachability, user availability, user personal status, user or client location, and client capabilities, and the values of the presence attributes have associated space and time information useable by a receiving entity to modify the presence values or related presence values of the user in processing the presence primitive.

Based on the above and in view of the amendment, Applicant respectfully requests the rejection of claims 1-64 based on Desai and Eftis be reconsidered and withdrawn.

Claim Rejections under 35 USC §103 - Second Set

Claims 1-64 are rejected under 35 USC §103(a) as being unpatentable over Desai et al (U.S. Patent No. 6,820,204, Desai hereinafter) in view of Tornabene et al (U.S. Publication No. 2002/0023132, Tornabene hereinafter).

As presented in the preceding section, independent claims 22, 42 and 63 are amended to add the following features regarding the presence attributes and presence values:

said presence attributes are classifiable in any one or more of the following:
client reachability, user availability, user personal status, user or client location,
and client capabilities;

and said values of the presence attributes have associated space and time
information useable by said receiving entity to modify said presence values or
related presence values in processing said presence primitive.

The Office acknowledged that "Desai did not explicitly disclose wherein the presence information comprises one or more presence attributes, the values of the attributes indicating presence status of a user or a client of the user at the time the presence information is provided. In the same filed of endeavor Tornabene disclosed wherein the presence information comprises one or more presence attributes, the values of the attributes indicating presence status of a user or a client of the user at the time the presence information is provided (page 11, lines 15-23 and page 12, lines 1-3 of Tornabene Provisional 60/189,973)." (pages 15 and 16 of the Detailed Action)

Applicant respectfully submits that, similar to Eftis, what Tornabene teaches at the cited location relates to a user accessing an IM server in order to view whether particular subscribers ("buddies") are online. The IM server, in turn, provides the user a real-time indication of the online presence of the other users. Although the online presence (whether a user is logged on or logged off) may be regarded as a status information item of the user, it does not carry additional information such as an online user's location, availability, mood,

client capability, etc., and nowhere in Tornabene (Provisional) it is suggested that the online/offline status may be presented with the additional information and modified according to the associated space and time information.

On the other hand, the presence information according to the present invention covers much more than merely an indication of whether a particular user is online or offline. The present invention provides a presence primitive. The presence primitive includes presence various attributes of a user. The presence attributes are classifiable in any one or more of the categories: client reachability, user availability, user personal status, user or client location, and client capabilities. The values of the presence attributes have associated space and time information useable by a receiving entity to modify the presence values or related presence values of the user in processing the presence primitive.

Neither Desai nor Tornabene teaches that the presence information includes various presence attributes that are classifiable in any one or more of the categories: client reachability, user availability, user personal status, user or client location, and client capabilities, and the values of the presence attributes have associated space and time information useable by a receiving entity to modify the presence values or related presence values of the user in processing the presence primitive.

Based on the above and in view of the amendment, Applicant respectfully requests the rejection of claims 1-64 based on Desai and Tornabene be reconsidered and withdrawn.

Additional Amendment to the Claims

Claim 42 is amended from a means-plus-function claim of a server to a server comprising structural components including a processor, a data storage and a plurality of client interfaces. Claims depending from claim 42 are also amended accordingly.

Applicant believes the amendment does not add new matters because it is well known in the art that a server normally comprises at least a processor for executing computer program instructions, a data storage such as a hard disk for storing data, and the server is able to communicate with clients through communication interfaces. Numerous figures of the

instant application indicate or imply such a server structure, and its communications with the clients are represented by lines connecting the server and the clients.

Entry of the amendment is respectfully requested.

Conclusion

For all the foregoing reasons, it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant urges the Examiner to call the undersigned agent to discuss the present response if there are any questions.

Applicant believes that no fee is due with the filing of this paper. However, should any fee be due of which applicant is unaware, the Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to our deposit account, no. 23-0442.

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Respectfully submitted,



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